

Promo #51404:

Narrator: Coverage of the news where you live.
Anchor 1: Another small earthquake this morning rattled parts of.
Narrator: Frank Sommerville, Julie Haener. Weeknights on KTVU Channel 2 News at 6.

Promo #51450

Narrator: Live Stormtracker 2
Meteorologist #1: The same rain storm that brought moderate rain to the North Bay will bring more rain to the East Bay.
Narrator: Live radar images keeping you ahead of the storm.
Meteorologist #1: And the fog will roll in just in time for the morning commute.
Narrator: Cutting edge weather technology that zeros in on the area where you live.
Meteorologist #2: When you wake up you are going to have rain and cooler temperatures in your neighborhood.
Narrator: And when you need to know now, go to KTVU.com and mobile KTVU.com. Live Stormtracker 2 complete Bay Area weather coverage.

Promo #51455

Narrator: Live Stormtracker 2
Meteorologist #1: It is going to get very cold and very windy with wind gusts up to 50 miles per hour.
Narrator: Live radar images keeping you ahead of the storm.
Meteorologist #1: And the fog will roll in just in time for the morning commute.
Meteorologist #2: The approaching weather system will affect you morning commute.
Narrator: Cutting edge weather technology that zeros in on the area where you live.
Meteorologist #1: And in the South Bay we are expecting mostly rain.
Narrator: And when you need to know now, go to KTVU.com and mobile KTVU.com. Live Stormtracker 2 complete Bay Area weather coverage.

Promo #51480:

Narrator: Mobile KTVU.com. You can view KTVU channel 2 news video on your mobile device.
Anchor 1: A new report indicates that.
Narrator: Track stormy weather with our new animated interactive weather map, and get real-time updates on driving conditions throughout the Bay Area. Plus, go to KTVU.com to sign up for breaking news text alerts. You can and even download the KTVU Channel 2 news app for free on your iPhone. Fun to use. Easier to navigate. Mobile KTVU.com. Feel connected anytime, anywhere.

Promo #51482:

Narrator:

Mobile KTVU.com. You can view KTVU channel 2 news video on your mobile device. Track stormy weather and get real time updates on driving conditions throughout the Bay Area. Mobile KTVU.com. Feel connected anytime, anywhere.

Promo #51483:

Narrator:

You can view KTVU channel 2 news video on your mobile device. Track stormy weather. Get real time updates on driving conditions throughout the Bay Area. Mobile KTVU.com.

Promo #51550:

Narrator:

KTVU Channel 2 News at 5. Straightforward coverage of the Bay Area's major news.

Anchor 1:

We have developing news now . . .

Narrator:

Uncovering important local news stories.

Anchor 2:

A gas leak from a broken pipe touched off a fiery . . .

Narrator :

In-depth coverage.

Reporter:

Word this afternoon from investigators . .

Anchor:

Plus weather forecasts for the area where you live.

Meteorologist:

South of the Pacific there are storms lined up for about 3,000 miles

Narrator:

Frank Somerville, Gasia Mikaelian. Weekdays on KTVU Channel 2 News at 5. Complete Bay area news coverage.

Promo #51551:

Narrator:

KTVU Channel 2 News at 5.

Anchor 1:

We have developing news now . . .

Narrator:

Straightforward coverage of the Bay area's major news.

Anchor 2:

A gas leak from a broken pipe touched off a fiery . . .

Narrator:

Plus weather forecasts for the area where you live.

Meteorologist:

Big winds, big snow, and significant rain.

Narrator:

Frank Somerville, Gasia Mikaelian. Weekdays on KTVU Channel 2 News at 5.

Promo # 51552:

Anchor 1:

We have developing news now . . .

Narrator:

Uncovering important local news stories.

Anchor 2:

A gas leak from a broken pipe touched off a fiery . . .

Narrator:

Plus weather forecasts for the area where you live. Frank Somerville, Gasia Mikaelian. Weekdays on KTVU Channel 2 News at 5.

Promo #51553:

Anchor 1:

We have developing news now . . .

Narrator:

Frank Somerville, Gasia Mikaelian. Weekdays on KTVU Channel 2 News at 5. Complete Bay Area news coverage.

Promo #51554:

Anchor 1: We have developing news now . . .
Narrator: Frank Somerville, Gasia Mikaelian. Weekdays on KTVU Channel 2 News at 5. Complete Bay Area news coverage.

Promo #51800

Narrator: Wake up with Sal Castaneda and Live drive-time traffic
Traffic Reporter: A wind advisory is in effect for all Bay Area Bridges.
Traffic Reporter: Traffic is very slow on the San Mateo Bridge.
Narrator: For commute conditions that impact you.
Traffic Reporter: A major traffic mess in the East Bay.
Narrator: Key information you need.
Traffic Reporter: An extra fifty minutes if you are driving south bound on 280 through San Jose.
Narrator: And updates all morning long.
Traffic Reporter: A muni street car accident is delaying trains.
Narrator: Live drive-time traffic with Sal Castaneda weekdays starting at 5 a.m. on KTVU Channel 2 Morning News.

Promo #51802

Narrator: Commute conditions that impact you.
Traffic Reporter: The South Bay commute is a nightmare today.
Narrator: And updates all morning long.
Traffic Reporter: Traffic is busy because of the wet weather.
Narrator: Live drive-time traffic with Sal Castaneda weekdays starting at 5 a.m. on KTVU Channel 2 Morning News.

Promo #51806

Narrator: Wake up with Sal Castaneda and Live drive-time traffic
Traffic Reporter: A wind advisory is in effect for all Bay Area Bridges.
Traffic Reporter: Traffic is very slow on the San Mateo Bridge.
Narrator: For commute conditions that impact you.
Traffic Reporter: A major traffic mess in the East Bay.
Narrator: Key information you need.
Traffic Reporter: An extra fifty minutes if you are driving south bound on 280 through San Jose.
Narrator: And updates all morning long.
Traffic Reporter: A muni street car accident is delaying trains.
Narrator: Live drive-time traffic with Sal Castaneda weekdays starting at 5 a.m. on KTVU Channel 2 Morning News.

Promo #51807

Narrator: Commute conditions that impact you.
Traffic Reporter: A major traffic mess in the East Bay.
Narrator: Key information you need.
Traffic Reporter: Give yourself an extra fifty minutes if you are driving south bound on 280 through San Jose.
Narrator: And updates all morning long.
Traffic Reporter: A muni street car accident is delaying trains.
Narrator: Live drive-time traffic with Sal Castaneda weekdays starting at 5 a.m. on KTVU Channel 2 Morning News.

Promo #51808

Narrator: Commute conditions that impact you.
Traffic Reporter: The South Bay commute is a nightmare today.
Narrator: And updates all morning long.
Traffic Reporter: Traffic is busy because of the wet weather.
Narrator: Live drive-time traffic with Sal Castaneda weekdays starting at 5 a.m. on KTVU Channel 2 Morning News.

Promo #51900:

Narrator: KTVU Channel 2 Morning News. The Bay Area's major news of the day.
Anchor: Breaking news right now. This is coming from San Jose where . . .
Narrator: Local news from overnight.
Anchor 2: We have developing news from Oakland this morning where . . .
Narrator: Live drive-time traffic.
Traffic Rep.: We're getting some improvement already at the . . .
Narrator: And weather in the area where you live.
Meteorologist: Possible thunder later today. A very cool unstable air mass.
Narrator: Dave Clark, Pam Cook. KTVU Channel 2 Morning News.
Weekdays starting at 5 a.m. Complete Bay Area news coverage.

Promo #51901:

Narrator: KTVU Channel 2 Morning News. Local news from overnight.
Anchor: Breaking news right now. This is coming from San Jose . . .
Narrator: Live drive-time traffic.
Traffic Rep.: We're getting some improvement already at the , , ,
Narrator: And weather in the area where you live.
Meteorologist: The next system is already moving in . . .
Narrator: Dave Clark, Pam Cook. KTVU Channel 2 Morning News.
Weekdays starting at 5 a.m.

Promo #51902:

Narrator: KTVU Channel 2 Morning News. Local news from overnight.
Anchor: We have developing news from Oakland this . . .
Narrator: Live drive time traffic. And weather in the area where you live.
Dave Clark, Pam Cook. KTVU Channel 2 Morning News.
Weekdays starting at 5 a.m.

Promo #53810:

Narrator: The 10:00 news on KTVU Channel 2.
Anchor 1: The investigators in San Francisco . . .
Narrator: Dependable live coverage of breaking news.
Anchor 2: We begin with a huge fire at a . . .
Narrator: The Bay Area's major news of the day.
Anchor 1: South Bay water officials say so far . . .
Narrator: And complete in-depth coverage.
Anchor 2: New security procedures went into effect today . . .
Narrator: Plus the forecast for the area where you live.
Meteorologist: We do have some sprinkles headed our way . .
Narrator: Frank Somerville, Julie Haener. The 10:00 News on KTVU
Channel 2. Complete Bay Area news coverage.



KTVU
Two Jack London Sq.
Oakland, CA 94607

FAX COVER SHEET

Date: **WED - 8-11-10**
To: **ROB FOLLIARD**
Phone:
Fax: **DON LOHNEY**
From:
Phone: **202-776-4357**
Fax: (510) 874-0218
ED CHAPUIS

Message:

FCC COMPLAINT

**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU****INVESTIGATIONS AND HEARINGS DIVISION
445 12th STREET, S.W. ■ WASHINGTON, D.C. 20554
TEL: (202) 418-1420 ■ FAX: (202) 418-2080****FACSIMILE TRANSMISSION****DATE:** 7-04-2010**To:** KTVU Partnership**Fax number:** (510) 874-0583**Telephone number:** _____**FROM:** _____**Telephone number:** _____

IMPORTANT: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is confidential, privileged, and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

MESSAGE:

TOTAL NUMBER OF PAGES IN THIS FAX: 8 (including this cover page)**IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL (202) 418-1420.**



FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, S.W., Suite 4-C330
Washington, D.C. 20554

August 4, 2010

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED
AND FACSIMILE AT (510) 874-0583

KTVU Partnership
Two Jack London Square
Oakland, California 94607

Re: Station KTVU(TV), Oakland, California
File No. EB-10-IH-2936

Dear Licensee:

The Enforcement Bureau is investigating allegations contained in the enclosed redacted complaint (the "Complaint") that KTVU Partnership (the "Licensee") broadcast material over the above-referenced station (the "Station") in violation of Section 73.1208 of the Commission's rules, 47 C.F.R. § 73.1208. Specifically, it is alleged that on April 23, 2010, at about 9:00 a.m., the Licensee broadcast certain news clips related to an earthquake and storm, which were actually from an earlier date, without identifying them as taped, filmed or recorded material. The Complaint alleges that these news stories were "frightening and misleading" to viewers tuning into the broadcast.

Instructions and Definitions are contained in the attachment to this letter. We direct the Licensee, pursuant to Sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended,¹ to provide the information and Documents, as defined herein, within thirty (30) calendar days from the date of this letter.

Unless otherwise indicated, the period of time covered by these inquiries is April 23, 2010, to the present.

Inquiries: Documents and Information to be Provided

1. State whether the Licensee broadcast any or all of the material described in the Complaint on or around April 23, 2010.
2. If the response to Inquiry 1 is "yes," respond to the following:
 - a. provide the time of the broadcast; and

¹ See 47 U.S.C. §§ 154(i), 154(j), 308(b), and 403.

KTVU Partnership

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- b. state whether any or all of the broadcast was taped, filmed, or recorded.
3. If the response to Inquiry 2(b) is "yes," respond to the following:
 - a. state whether the Licensee made any attempts to create the impression that the events broadcast were occurring simultaneously with the broadcast, and if so, describe when and how;
 - b. state whether the Licensee announced that the broadcast was taped, filmed, or recorded, and if so, describe when and how; and
 - c. if the Licensee did not announce that the broadcast was taped, filmed, or recorded, explain why such announcement was not made.
4. State whether the Licensee broadcast any or all of the material described in the Complaint on any stations licensed to it other than Station KTVU(TV). If so, Identify such other station(s) by licensee, call sign, and community of license; specify the date(s) and time(s) of day of such broadcast(s); state whether any or all of each broadcast was taped, filmed, or recorded; and respond to Inquiries 3(a),(b), and (c) with respect to each such broadcast.
5. Provide copies of all Documents, including, but not limited to, a recording of the broadcast on DVD or a VHS videocassette tape and a written transcript of the recording including any announcement at the beginning of the broadcast indicating the broadcast as taped, filmed, or recorded, supporting and/or otherwise relating to the responses to the above Inquiries.
6. Provide any additional information that you believe may be helpful to our consideration and resolution of this matter.

Instructions for Filing Responses

We direct the Licensee to support its responses with an affidavit or declaration under penalty of perjury. Such affidavit or declaration shall be signed and dated by an authorized officer of the Licensee with personal knowledge of the representations provided in the Licensee's response, verifying the truth and accuracy of the information therein and that all of the information and/or recordings requested by this letter which are in the Licensee's possession, custody, or control have been produced. If multiple Licensee employees contribute to the response, in addition to such general affidavit or declaration of the authorized officer noted above, if such officer (or any other affiant or declarant) is relying on the personal knowledge of any other individual, rather than his or her own knowledge, provide separate affidavits or declarations for each such individual with personal knowledge. Any additional declaration or affidavit shall identify which responses the affiant or declarant is attesting to. All such declarations provided must

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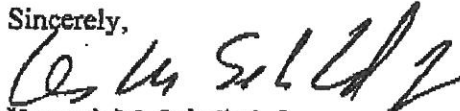
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comply with Section 1.16 of the Commission's rules² and be substantially in the form set forth therein.

To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment.³ Failure to respond appropriately to this letter of inquiry may constitute a violation of the Communications Act and our rules.⁴

The Licensee shall direct its response, if sent by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002, to the attention of Jennifer A. Lewis, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Kenneth M. Scheibel, Jr., Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Jennifer A. Lewis, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 4-C330, Washington, D.C. 20554, with a copy to Kenneth M. Scheibel, Jr., Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 4-C330, Washington, D.C. 20554. The Licensee must also transmit a copy of the response via email to Jennifer.Lewis@fcc.gov and to Kenneth.Scheibel@fcc.gov.

Sincerely,



Kenneth M. Scheibel, Jr.
Assistant Division Chief
Investigations and Hearings Division
Enforcement Bureau

Enclosure (redacted copy of complaint)

Attachment

² See 47 C.F.R. § 1.16.

³ See 18 U.S.C. § 1001; see also 47 C.F.R. § 1.17.

⁴ See *SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589 (2002); *Globcom, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 18 FCC Rcd 19893, n. 36 (2003); *World Communications Satellite Systems, Inc.*, Forfeiture Order, 19 FCC Rcd 2718 (Enf. Bur. 2004); *Donald W. Kaminski, Jr.*, Forfeiture Order, 18 FCC Rcd 26065 (Enf. Bur. 2003).

KTVU Partnership
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Attachment

Instructions

Request for Confidential Treatment. If the Licensee requests that any information or Documents responsive to this letter be treated in a confidential manner, it shall submit, along with all responsive information and Documents, a statement in accordance with Section 0.459 of the Commission's rules.⁵ Requests for confidential treatment must comply with the requirements of Section 0.459, including the standards of specificity mandated by Section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of Documents, and casual requests, including simply stamping pages "confidential," are unacceptable. Pursuant to Section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of Section 0.459.

Claims of Privilege. If the Licensee withholds any information or Documents under claim of privilege, it shall submit, together with any claim of privilege, a schedule of the items withheld that states, individually as to each such item, the numbered inquiry to which each item responds and the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific ground(s) for claiming that the item is privileged.

Format of Responses. The responses must be consistent with the format of the questions asked.

Method of Producing Documents. Each requested Document, as defined herein, shall be submitted in its entirety, even if only a portion of that Document is responsive to an inquiry made herein, unless the Document is a recording or transcript, in which case it should be provided only for the period of time of the broadcast specified in the pertinent inquiry herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be submitted.

Identification of Documents. For each Document or statement submitted in response to the inquiries below, indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the Document was retrieved. If any Document is not dated, state the date on which it was prepared. If any Document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). The Licensee must identify with reasonable specificity all Documents provided in response to these inquiries.

Documents No Longer Available. If a Document responsive to any inquiry made herein existed but is no longer available, or if the Licensee is unable for any reason to produce a Document responsive to any inquiry, identify each such Document by author,

⁵ See 47 C.F.R. § 0.459.